

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RICHARD BELL; JEWEL SHEPPARD;  
ROBERT KELLEY and SALLY KELLEY;  
MICHAEL F. MCKEON; NIGEL  
RUDLIN; SHANE SNYDER; and  
DIMITRITSA TOMORMANOVA,

Case No.: 3:10-cv-00444-RCJ-WGC

**ORDER TO EXPUNGE NOTICE  
OF LIS PENDENS**

**Plaintiffs.**

V.

RECONSTRUCT COMPANY, N.A.;  
BANK OF AMERICA; COUNTRYWIDE  
HOMES LOANS; MORTGAGE  
INVESTOR'S GROUP; DIABLO  
FUNDING GROUP; and PARAGON  
HOME LENDING, LLC, *et al.*,

### Defendants.

Caliber Home Loans, Inc. (hereinafter “Caliber”), moved this Court for an Order expunging a Notice of Lis Pendens, filed by Plaintiff, Dimitritza Toromanova (hereinafter “Toromanova”) and subsequently recorded with the Clark County Recorder’s Office as instrument number 201007090002181. The Notice of Lis Pendens was recorded against real property commonly known as 4174 Jacqueline Way, Las Vegas, NV 89115 (APN: 140-06-718-012) (hereinafter the “Property”). Caliber filed its Motion on October 23, 2019, and more than 14 days have passed without any party opposing Caliber’s Motion.

1 Pursuant to NRS 14.015(3):

2       3. In addition to the matters enumerated in subsection 2, the party who recorded  
3 the notice must establish to the satisfaction of the court either:

4           (a) That the party who recorded the notice is likely to prevail in the action; or

5           (b) That the party who recorded the notice has a fair chance of success on the  
merits in the action and the injury described in paragraph (d) of subsection 2 would be  
sufficiently serious that the hardship on him or her in the event of a transfer would be  
greater than the hardship on the defendant resulting from the notice of pendency,

6           and that if the party who recorded the notice prevails he or she will be entitled to  
7 relief affecting the title or possession of the real property.

8 Because this action has been dismissed, and the case terminated on August 3, 2012, it is  
9 established that Toromanova cannot prevail in this action. Moreover, no timely opposition to  
10 Caliber's Motion has been filed.

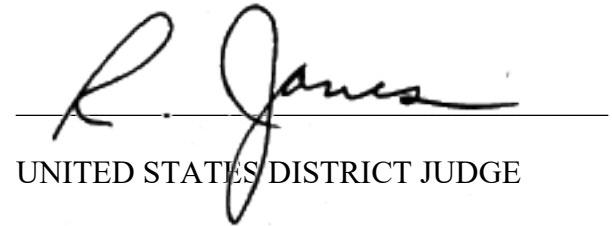
11           Accordingly, for good cause shown,

12           IT IS HEREBY ORDERED that Caliber's Motion to Expunge Lis Pendens [ECF No. 88]  
13 is GRANTED; and

14           IT IS FURTHER ORDERED that the Notice of Lis Pendens, filed by Plaintiff, Dimitritza  
15 Toromanova, and subsequently recorded with the Clark County Recorder's Office as instrument  
16 number 201007090002181 is CANCELLED and the Office of Clark County Recorder's Office  
17 shall EXPUNGE the Notice of Lis Pendens from the records of the Clark County Recorder; and  
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1 IT IS FURTHER ORDERED that a copy of this Order may be recorded by the Office  
2 of the Clark County Recorder in the applicable chain of title for the above referenced Property.  
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4 IT IS SO ORDERED this 12th day of December, 2019.  
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7 UNITED STATES DISTRICT JUDGE  
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